
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,

v.

TIMOTHY WAYNE PATTAN,
Defendant.

ORDER TO CONTINUE JURY TRIAL

Case No. 1:21-cr-00009

District Judge David Barlow

Magistrate Judge Daphne A. Oberg

Based on the defendant's Motion to Continue Jury Trial, in the above-entitled case, under DUCrimR 12-1(I) and for good cause appearing, the court makes the following findings:

An Indictment/Information was issued on January 21, 2021. Defendant first appeared before a judicial officer of the court on October 7, 2021. Trial was set for December 3, 2021. Beginning November 1, 2021, this Court entered three Memorandum Decisions and Orders to Continue the Jury Trial, excluded time from General Order No. 20-009 until the new trial setting as well as speedy trial computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

Defendant seeks a continuance under 18 U.S.C. §3161(h)(7)(B)(iv). Defendant alleges that the continuance is necessary because not granting the continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account of due diligence.

The following factual assertions support defendant's request: Although a potential resolution has been discussed in this case, defense counsel requires additional time to gather mitigating evidence before advising Mr. Pattan to proceed with trial or enter a plea.

The length of delay requested is 90 days.

Defense counsel reached out to Special Assistant United States Attorney Branden Miles and had not heard back from him at the time of the filing.

Based on the foregoing findings, the court grants the motion and will exclude the period of delay under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, the ends of justice served by such a continuance outweigh the best interests of the public and Defendant in a speedy trial.

THEREFORE, the 3-day jury trial previously scheduled to begin on July 1, 2022, is hereby continued to the ____ day of _____, 2022, at 8:30 a.m. Accordingly, the time between the filing of the Motion, June 9, 2022, and the new trial date set forth above, [Click here to enter a date](#), is excluded from computation under the Speedy Trial Act.

DATED this ____ day of June, 2022.

DAVID BARLOW
UNITED STATES DISTRICT COURT JUDGE